

AIR POLLUTION CONTROL DISTRICT



October 11, 2005

California Energy Commission Dockets Unit
Attn: Docket No. 04 IEP 1K
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

DOCKET	
04-IEP-1 K	
DATE	OCT 11 2005
RECD.	OCT 12 2005

John L. Geesman
Commissioner and Presiding Member
2005 Integrated Energy Policy
Report Committee

James D. Boyd
Commissioner and Associate Member
2005 Integrated Energy Policy
Report Committee

Dear Commissioners Geesman and Boyd:

I am writing to you today to express the position of the Imperial County Air Pollution Control District's Board of Director's as it relates to the energy/utility sectors. Last week, the Imperial County Board of Supervisor's, whom also sit as the Imperial County Air Pollution Control Board, passed Resolution No. 2005-077 - Resolution of the Board of Supervisors of the County of Imperial in support of a Pollution Free Border Region (see attached).

The passing of this resolution is a continuation of efforts by local officials to address the potential impacts of construction of new power plants in Mexicali, the construction and proposed expansion of the North Baja Pipeline project, and the transmission lines proposed in Imperial County, as well as those transmission lines from Mexicali, Mexico that cross the border and connect to the Southern California grid via Imperial County.

As you are aware from previous presentations to the California Energy Commission, Imperial County has some of the poorest air quality in the State. Imperial County has been formally designated as federal "serious" non-attainment for PM10, and "marginal" for Ozone. Also, Imperial County has been formally designated as state "moderate" non-attainment for PM10, Ozone, and CO for the City of Calexico (which is located adjacent to the border).

The Imperial County Air Pollution Control District Board of Directors and staff understand the projected need for a future increase in power supply, the reliability associated with being able to deliver and meet future power demands, and also the need to have clean burning fuel alternative to meet stringent air quality standards.

We also feel that provided Best Available Control Technology (BACT) is installed, operated, and maintained on all energy/utility-related projects that may directly or indirectly impact the air quality in Imperial County and the Salton Sea Air Basin, as well as, that all appropriate mitigation measures and/or offsets are secure for those projects with the assurances that air quality and the health of the citizens of Imperial County will not be compromised or jeopardized.

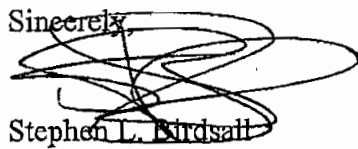
Furthermore, the Imperial County Air Pollution Control District Board is on record as opposing the importation of any energy supply that comes from sources that emit criteria pollutants that do not comply with the established and more stringent of the federal, state, or local standards.

The Imperial County Air Pollution Control District urges the California Energy Commission to address our above concerns and enumerate in the CEC Energy Report and in the CEC project review/approval requirements within your jurisdiction for approval of any projects (and their connections) that may contribute or adversely impact the air quality in the Salton Sea Air Basin must meet the requirements to install, operate, and maintain the use of Best Available Control Technology and offset any emissions associated with the project and its associated connections.

Lastly, it is our mission to make sure that our air quality and health of the residents of Imperial County is not sacrificed for energy/utility projects, and their associated components and connections that fail to address and meet stringent regulatory guidelines established that requires BACT controls, mitigation measures undertaken to minimize impacts, and offsets. Air pollution knows no boundaries and we all should do our part to ensure that the actions we take under our authority will not contribute to or compound an already poor air quality region, such as the Salton Sea Air Basin.

Thank you for your time and cooperation on this matter. The Imperial County Air Pollution Control District looks forward to working with you in the future on any/all air quality issues as they may pertain to Imperial County and our border region. Should you wish to discuss this further please feel free to contact myself or Brad Poiriez, Senior Manager, of my staff at (760) 482-4606.

Sincerely,



Stephen L. Birdsall
Air Pollution Control Officer

cc: Imperial County Board of Supervisors
Robertta Burns, CEO
Jurg Heuberger, Director, Planning & Building
Bill Powers, BPPWG
California Public Utilities Commission

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF IMPERIAL
IN SUPPORT OF A POLLUTION FREE BORDER REGION**

RESOLUTION NO. 2005-077

Whereas, economic activity on both sides of the California/Mexico border can and has generated undesirable environmental impacts if left unchecked, and

Whereas, air quality and water quality impacts on one side of the border can have adverse impacts on the other side as well, and

Whereas, several counties on the U.S. side of the border share an air shed with their counterparts on the Mexican side of the U.S. border where air or water pollution from one country can easily affect the quality of life on the other side, and

Whereas, there is no mutual regulatory standard for air emissions from industrial facilities and power plants that applies on both sides of the border, and

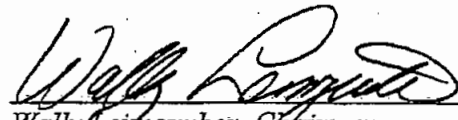
Whereas, continued economic development in the border region will see the development of new industrial facilities with the potential to further degrade air quality and water quality within shared cross-border air basins, and


Whereas, there is evidence that some companies will locate industrial facilities on a particular side of the border solely to take advantage of a less stringent environmental regulatory regime, often to the detriment of the environment on both sides of the border, and

Whereas, it is the goal of the Border Counties Coalition to promote policies that protect the environmental quality in the border region, therefore be it;

Resolved that the Border Counties Coalition supports federal and state legislative or regulatory initiatives that will encourage the adoption of policies to impose standardized rules governing air quality within 100 kilometers of the international border, such that when either country permits a new industrial facility, the permit should require that the facility meets the standards of the jurisdiction that has the more stringent environmental regulations, and that these regulations, including provision of offsets, are strictly adhered to and monitored for compliance.

Passed and Adopted by the Board of Supervisors, County of Imperial, State of California this 4th day of October 2005 by affirmative roll call vote.


Wally Leingruber, Chairman
Board of Supervisors, County of Imperial


Sylvia Bermudez, Clerk of the Board
County of Imperial, State of California